

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1531-01  
Bill No.: HB 539  
Subject: Corrections Department; Children and Minors; Prisons and Jails  
Type: Original  
Date: February 25, 2011

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Bill Summary: This proposal creates a two year pilot project within the Department of Corrections and with the cooperation of the Division of Family Services to increase the access children have to incarcerated mothers.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>
General Revenue	(Unknown - could exceed \$100,000)	(Unknown - could exceed \$100,000)	(Unknown - could exceed \$100,000)
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>(Unknown - could exceed \$100,000)</b>	<b>(Unknown - could exceed \$100,000)</b>	<b>(Unknown - could exceed \$100,000)</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 5 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

☒ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☒ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Department of Corrections (DOC)** state passage of this proposal would create a two year pilot project within the DOC and with the cooperation of the DFS to increase the access children have to incarcerated mothers. DOC currently has two female prisons, one in Chillicothe (Chillicothe Correctional Center - CCC) and one in Vandalia (Womens Eastern Reception and Diagnostic Correctional Center - WERDCC), neither of which would be considered to have an urban location. Therefore, that requirement in the proposal cannot be met with existing institutions. It should be noted that DOC currently has several parenting programs in place for incarcerated mothers that focus on providing them access to their children as well as enhancing their parenting skills, i.e., Parents as Teachers, Parents and Their Children (PATCH), 4H-LIFE, Story Link, Girl Scouts Beyond Bars, etc.

The DOC's Division of Adult Institutions (DAI) does not currently have the funding for the staff, vehicles or resources to "provide transportation for visits or any other means available to increase visitation between children and incarcerated mothers" and is unsure if additional general revenue funds exist for further appropriations that would be necessary to cover this expenditure if this bill were passed into law. It would be necessary to hire one additional caseworker, at a minimum, at each facility to manage this project and possibly clerical support as well. Fringe benefits and associated one-time and ongoing expense and equipment would also be required in addition to the ongoing personal service funds to cover the salary of the FTE.

Transportation of children and their parent/guardian via DOC creates a liability issue for the state as the majority of these are private citizens. This liability issue could be avoided by paying a public transportation provider to transport the children and their parent/guardian, however, the funding dilemma is the same. This project is to focus on children who live fifty or more miles from the facility, likely making the cost to transport them an unknown but substantial amount per each fiscal year. There is no means by which to project the number of persons impacted, the resulting transportation expenditures or potential costs for the project due to unknown program implementation via collaboration with DFS/DSS.

In summary, the fiscal impact has the potential to be substantial and is therefore an Unknown amount of cost per each fiscal year and could easily exceed \$100,000 per annum.

Officials from the **Department of Social Services (DOS)** state it is unclear what the role and responsibility of the Children's Division (CD) would be in this pilot project. However, additional staffing resources and funding will be needed to implement this project. Current appropriations are fully utilized. If this project requires the redirection of funds currently used for children in

ASSUMPTION (continued)

CD's custody, the children in our custody and children at risk of abuse and neglect would be affected or additional funds would be needed. Therefore, CD is providing a fiscal impact of unknown.

The two-year pilot project starts on January 1, 2012. Therefore, **Oversight** will assume the Department of Corrections and the Department of Social Services will incur their unknown amount of expenses in fiscal years 2012, 2013 and 2014. Oversight assumes the expenses could exceed \$100,000 in each year.

<u>FISCAL IMPACT - State Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
<b>GENERAL REVENUE</b>			
<u>Costs</u> - Department of Corrections			
To implement the pilot project	(Unknown)	(Unknown)	(Unknown)
<u>Costs</u> - Department of Social Services			
To implement the pilot project	(Unknown)	(Unknown)	(Unknown)
<b>ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND</b>	<b>(Unknown - could exceed <u>\$100,000</u>)</b>	<b>(Unknown - could exceed <u>\$100,000</u>)</b>	<b>(Unknown - could exceed <u>\$100,000</u>)</b>

<u>FISCAL IMPACT - Local Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

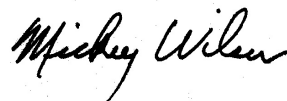
### FISCAL DESCRIPTION

Beginning January 1, 2012, this bill requires the Department of Corrections, in cooperation with the Division of Family Services within the Department of Social Services, to establish a two-year pilot project to increase the access that children have to their incarcerated mothers. The project must cover two prisons which house women; one in an urban area and one in a rural area. The department and the division must collaborate to develop and implement the project by providing transportation for visits or other means available to increase visitation between children and incarcerated mothers. The project must focus on, but cannot be limited to, children who live 50 miles or more from the facility where the mother is located. Funding for the project must come from existing appropriations or any funds specifically appropriated for the project. At the end of the two-year pilot project the department and division directors must submit a joint report to the Governor and the General Assembly by February 1, 2015, on the efficacy of the project on both children and incarcerated mothers as well as the project cost and must make recommendations on whether to expand the project.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

### SOURCES OF INFORMATION

Department of Corrections  
Department of Social Services



Mickey Wilson, CPA  
Director  
February 25, 2011